

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

X CORP.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	No. 7:24-cv-00114-B
	§	
WORLD FEDERATION OF ADVERTISERS;	§	
MARS, INCORPORATED;	§	
CVS HEALTH CORPORATION;	§	
ØRSTED A/S;	§	
NESTLÉ S.A.; NESTLE USA, INC.;	§	
ABBOTT LABORATORIES;	§	
COLGATE-PALMOLIVE COMPANY;	§	
LEGO A/S; LEGO BRAND RETAIL, INC.;	§	
PINTEREST, INC.;	§	
TYSON FOODS, INC.;	§	
SHELL PLC; SHELL USA, INC.; AND	§	
SHELL BRANDS INTERNATIONAL AG,	§	
	§	
<i>Defendants.</i>	§	

**DEFENDANT ØRSTED A/S’S MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION**

TO THE HONORABLE JANE J. BOYLE, UNITED STATES DISTRICT JUDGE:

Defendant Ørsted A/S files this Motion to Dismiss for Lack of Personal Jurisdiction (the “*Motion*”), respectfully requesting that the Court dismiss all of Plaintiff X Corp.’s (“X”) claims against Ørsted A/S under FED. R. CIV. P. 12(b)(2) for the following reasons:

1. **Lack of General Jurisdiction** – Ørsted A/S does not maintain continuous and systematic contacts to render itself at home in the State of Texas;
2. **Lack of Specific Jurisdiction** – X fails to allege any activity by Ørsted A/S that amounts to a substantial connection to the State of Texas that relates to the allegedly wrongful conduct at issue in this case;
3. **Jurisdictional Contacts of Ørsted A/S’s Subsidiaries Cannot Be Attributed to Ørsted A/S** – X fails to allege any reason to impute the contacts of Ørsted A/S’s subsidiaries to Ørsted A/S and, regardless, Ørsted A/S and its subsidiaries are all separate and distinct entities.

4. **Section 12 of the Clayton Act:** Personal jurisdiction over Ørsted A/S cannot be established under Section 12 of the Clayton Act.

Ørsted A/S is contemporaneously filing with this Motion its Brief in Support of Motion to Dismiss for Lack of Personal Jurisdiction (the “Brief”), which contains the Court-required statement of facts and legal argument detailing Ørsted A/S’s Fed. R. Civ. P. 12(b)(2) grounds listed above.

Subject to and without waiver of its motion under Rule 12(b)(2), Ørsted A/S joins in Defendants’ Motion to Dismiss for Failure to State a Claim, filed this same day, for the reasons stated in that motion and the brief in support thereof.

For the reasons set forth in this Motion and the Brief, Ørsted A/S respectfully requests the Court to grant this motion and dismiss the claims against Ørsted A/S for lack of personal jurisdiction under FED. R. CIV. P. 12(b)(2).

Dated: May 14, 2025

Respectfully submitted,

/s/ Jason M. Powers

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Attorneys for Defendant Ørsted A/S

CERTIFICATE OF SERVICE

I certify that on May 14, 2025, a true and correct copy of the foregoing instrument was served on all counsel of record using the Court's electronic filing system

/s/ Jason M. Powers
Jason M. Powers